

# AUTO CR - LOG SUMMARY #1075811

TYPE: INFO

## Incident Finding / Overall Case Finding

Description of Incident	Finding	Entered By	Entered Date
	(None Entered)		

## Reporting Party Information

Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
NON-CPD Reporting Party Third Party	[REDACTED]					M		[REDACTED]	

## Incident Information

Incident From Date/Time	Address of Incident	Beat	Dist. Of Occurrence	Location Code	Location Description
31-JUL-2012 12:00 - 31-JUL-2012 12:00	[REDACTED]	0913	009	290 - RESIDENCE	

## Accused Members

Role	Name	Star No.	Emp No.	UOA / UOD	Position	Status	Initial / Intake Allegation
CPD Employee Accused	PIEKARSKI-BLOCK, NANCY		[REDACTED]	610 /	PO AS DETECTIVE ON Duty		Victim alleges that the accused officers entered his residence with no probable cause.
CPD Employee Accused	KILLEN, KEVIN	2016		009 /	SERGEANT OF POLICE	ON Duty	Victim alleges that the accused officers entered his residence with no probable cause.
CPD Employee Accused	DEL TORO JR, HERMOGENE	8853		009 / 177	PO ASGN EVID. TECHNI	ON Duty	Victim alleges that the accused officers entered his residence with no probable cause.
CPD Employee Accused	DE LA TORRE, MIGUEL	307		009 /	LIEUTENANT OF POLICE	ON Duty	Victim alleges that the accused officers entered his residence with no probable cause.

## Other Involved Parties

Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
NON-CPD Victim/Subject	[REDACTED]					F	VWH	CHICAGO	

## Involved Party Associations

Role	Rep. Party Name	Related Person	Relationship
Reporting Party Third Party	[REDACTED]	DE LA TORRE, MIGUEL	NO RELATIONSHIP
Reporting Party Third Party	[REDACTED]	DEL TORO JR, HERMOGENE	NO RELATIONSHIP
Reporting Party Third Party	[REDACTED]	KILLEN, KEVIN	NO RELATIONSHIP
Reporting Party Third Party	[REDACTED]	PIEKARSKI-BLOCK, NANCY	NO RELATIONSHIP
Reporting Party Third Party	[REDACTED]		OTHER

## Incident Details

CR Required?		Manner Incident Received?	OTHER
Confidential?		Biased Language?	N
Extraordinary Occurrence?	N	Bias Based Profiling?	N
Police Shooting (U)?	N	Alcohol Related?	N
Non Disciplinary Intervention:	N	Pursuit Related?	N
Initial Assignment:	IAD	Violence in Workplace?	N
Notify IAD Immediately?	N	Domestic Violence?	N
EEO Complaint No.:		Civil Suit Settled Date:	
Civil Suit No.:	[REDACTED]	Notify Chief?	
Notify Chief Administator?	N	Notification Does Not Apply?	Y
Notify Coordinator?			
Notification Other?	N		
Notification Comments:			

## Incident Category List

Incident Category	Primary?	Initial?
03Z - GROUP 03 - IMPROPER SEARCH MISCELLANEOUS	Y	Y
03Z - GROUP 03 - IMPROPER SEARCH MISCELLANEOUS		N

## Investigator History

Investigator	Type	Assigned Team	Assigned Date	Scheduled End Date	Investigation End Date	No. of Days
BRECKENRIDGE, CHARLES	Primary	CENTRAL INVESTIGATIONS SECTION	26-JUN-2015	25-AUG-2015	31-JUL-2015	35
STEHLIK, JOSEPH	Supervisor	CENTRAL INVESTIGATIONS SECTION	26-JUN-2015	26-JUL-2015	31-JUL-2015	

## Extension History

Name	Previous Scheduled End Date	Extended Scheduled End Date	Date Certified Letter Sent	Reason Selected	Explanation	Extension Report Date	Approved By	Approved Date	Approval Comments
BRECKENRIDGE, CHARLES	26-JUL-2015	25-AUG-2015		OTHER (DESCRIBE)	In closing stage.	29-JUL-2015	STEHLIK, JOSEPH	30-JUL-2015	OK

## Current Allegations

Accused Name	Seq. No.	Allegation	Category	Subcategory	Finding
DE LA TORRE, MIGUEL	1	The Reporting Third Party Attorney [REDACTED] alleged on behalf of his client [REDACTED] that on 31 July 2012, at an unknown time, at [REDACTED] the accused officer entered her residence without probable cause.	003 GROUP 03 - IMPROPER SEARCH	MISCELLANEOUS	NO AFFIDAVIT
DEL TORO JR, HERMOGENE	1	The Reporting Third Party Attorney [REDACTED] alleged on behalf of his client [REDACTED] that on 31 July 2012, at an unknown time, at [REDACTED] the accused officer entered her residence without probable cause.	003 GROUP 03 - IMPROPER SEARCH	MISCELLANEOUS	NO AFFIDAVIT
KILLEN, KEVIN	1	The Reporting Third Party Attorney [REDACTED] alleged on behalf of his client [REDACTED] that on 31 July 2012, at an unknown time, at [REDACTED] the accused officer entered her residence without probable cause.	003 GROUP 03 - IMPROPER SEARCH	MISCELLANEOUS	NO AFFIDAVIT
PIEKARSKI-BLOCK, NANCY	1	The Reporting Third Party Attorney [REDACTED] alleged on behalf of his client [REDACTED] that on 31 July 2012, at an unknown time, at [REDACTED] the accused officer entered her residence without probable cause.	003 GROUP 03 - IMPROPER SEARCH	MISCELLANEOUS	NO AFFIDAVIT

## Situations (Allegation Details)

Accused Name	Alleg. No.	Situation	Victim/Offender Armed?	Weapon Types	Weapon Other	Weapon Recovered?	Deceased?
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## Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
CLOSED/NO CONVERSION	03-AUG-2015 07:32	STEHLIK, JOSEPH	SERGEANT OF POLICE	121 /	
PENDING LIEUTENANT REVIEW	03-AUG-2015 07:32	STEHLIK, JOSEPH	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATIVE REVIEW	31-JUL-2015 11:15	BRECKENRIDGE, CHARLES	POLICE AGENT	121 /	
PENDING INVESTIGATION	26-JUN-2015 09:39	TIERNEY, JOHN	SERGEANT OF POLICE	121 /	
PENDING ASSIGN INVESTIGATOR	25-JUN-2015 03:19	DUNN, BRENDA	SERGEANT OF POLICE	121 /	
PENDING APPROVE TEAM	24-JUN-2015 08:33	WATSON, JOHN	POLICE OFFICER	121 /	
PENDING ASSIGN TEAM	24-JUN-2015 07:42	QUERFURTH, PATRICK	SUPERVISING INV COPA	113 /	
PENDING SUPERVISOR REVIEW	24-JUN-2015 06:54	QUERFURTH, PATRICK	SUPERVISING INV COPA	113 /	
PRELIMINARY	23-JUN-2015 02:31	QUERFURTH, PATRICK	SUPERVISING INV COPA	113 /	

## Attachments

## Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content	Approve Inclusion
1	INVESTIGATION					BRECKENRIDGE, CHARLES	29-JUN-2015 03:26			
1	FACE SHEET					QUERFURTH, PATRICK	23-JUN-2015 02:31			
2	CONFLICT CERTIFICATION					BRECKENRIDGE, CHARLES	29-JUN-2015 03:26			
3	DOCUMENTS - INVESTIGATION		1	Sworn Affidavit, "Non-Cooperation."	Y	BRECKENRIDGE, CHARLES	31-JUL-2015 07:40	APPROVED		
4	DOCUMENTS - INVESTIGATION		1	Attempt to Contact Reporting Third Party Attorney [REDACTED] Telephonically.	Y	BRECKENRIDGE, CHARLES	29-JUL-2015 01:10	APPROVED		
5	DOCUMENTS - INVESTIGATION		2	Attempt to Contact Reporting Third Party Attorney [REDACTED] via Certified Letter.	Y	BRECKENRIDGE, CHARLES	29-JUL-2015 01:13	APPROVED		
6	DOCUMENTS - INVESTIGATION		1	Domestic Return Receipt Signed by Attorney [REDACTED] on 7 July 2015.	Y	BRECKENRIDGE, CHARLES	29-JUL-2015 01:16	APPROVED		
7	DOCUMENTS - INTAKE INCIDENT		1	Civil Suit Summary, Suit [REDACTED]	N	QUERFURTH, PATRICK	24-JUN-2015 07:42	APPROVED		
8	DOCUMENTS - INVESTIGATION		4	Copy of Civil S[REDACTED]	Y	BRECKENRIDGE, CHARLES	29-JUL-2015 01:17	APPROVED		
	DOCUMENTS - INVESTIGATION		4	Closing Package	Y	BRECKENRIDGE, CHARLES	31-JUL-2015 11:14	APPROVED		

## Review Incident

Review Type	Accused/Involved Member Name	Result Type	Reviewed By	Position	Unit	Review Date	Remarks
LIEUTENANT REVIEW		SUBMITTED	STEHLIK, JOSEPH	SERGEANT OF POLICE	121	03-AUG-2015 07:32	
SERGEANT REVIEW		SUBMITTED	STEHLIK, JOSEPH	SERGEANT OF POLICE	121	03-AUG-2015 07:32	

## Review Accused

Review Type	Accused/Involved Member Name	Result Type	Reviewed By	Position	Unit	Review Date	Remarks
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## Accused Finding History

Accused	Allegation	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Finding	Finding Comments
DE LA TORRE, MIGUEL	1. The Reporting Third Party Attorney [REDACTED] [REDACTED] alleged on ...	BRECKENRIDGE, CHARLES	31-JUL-2015 11:15			NO AFFIDAVIT	
PIEKARSKI-BLOCK, NANCY	1. The Reporting Third Party Attorney [REDACTED] [REDACTED] [REDACTED] alleged on ...	BRECKENRIDGE, CHARLES	31-JUL-2015 11:15			NO AFFIDAVIT	
KILLEN, KEVIN	1. The Reporting Third Party Attorney [REDACTED] [REDACTED] [REDACTED] alleged on ...	BRECKENRIDGE, CHARLES	31-JUL-2015 11:15			NO AFFIDAVIT	
DEL TORO JR, HERMOGENE	1. The Reporting Third Party Attorney [REDACTED] [REDACTED] [REDACTED] alleged on ...	BRECKENRIDGE, CHARLES	31-JUL-2015 11:15			NO AFFIDAVIT	

## Accused Penalty History

Accused	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Penalty	Penalty Comments
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## Findings

Accused Name	Allegations	Category	Concur?	Findings	Comments
DE LA TORRE, MIGUEL	The Reporting Third Party Attorney [REDACTED] [REDACTED] alleged on behalf of his client [REDACTED] A that on 31 July 2012, at an unknown time, at [REDACTED] the accused officer entered her residence without probable cause.	003 GROUP 03 - IMPROPER SEARCH		NO AFFIDAVIT	
DEL TORO JR, HERMOGENE	The Reporting Third Party Attorney [REDACTED] [REDACTED] [REDACTED] alleged on behalf of his client [REDACTED] at on 31 July 2012, at an unknown time, at [REDACTED] the accused officer entered her residence without probable cause.	003 GROUP 03 - IMPROPER SEARCH		NO AFFIDAVIT	
KILLEN, KEVIN	The Reporting Third Party Attorney [REDACTED] [REDACTED] [REDACTED] alleged on behalf of his client [REDACTED] that on 31 July 2012, at an unknown time, at [REDACTED] the accused officer entered her residence without probable cause.	003 GROUP 03 - IMPROPER SEARCH		NO AFFIDAVIT	

## Findings

Accused Name	Allegations	Category	Concur?	Findings	Comments
PIEKARSKI-BLOCK, NANCY	The Reporting Third Party Attorney [REDACTED] alleged on behalf of his client [REDACTED] at on 31 July 2012, at an unknown time, at [REDACTED] the accused officer entered her residence without probable cause.	003 GROUP 03 - IMPROPER SEARCH		NO AFFIDAVIT	

# FACE SHEET (Notification Date: 23-JUN-2015) - LOG #1075811

TYPE: INFO

## Reporting Party Information

Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
NON-CPD	Reporting Party Third Party								

## Incident Information

Incident From Date/Time	Address of Incident	Beat	Dist. Of Occurrence	Location Code	Location Description
31-JUL-2012 12:00 - 31-JUL-2012 12:00		0913	009	290 - RESIDENCE	

## Accused Members

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Status	Initial / Intake Allegation
CPD Employee	Accused	PIEKARSKI-BLOCK, NANCY			610 /	PO AS DETECTIVE ON Duty		Victim alleges that the accused officers entered his residence with no probable cause.
CPD Employee	Accused	KILLEN, KEVIN	2016		009 /	SERGEANT OF POLICE	ON Duty	Victim alleges that the accused officers entered his residence with no probable cause.
CPD Employee	Accused	DEL TORO JR, HERMOGENE	8853		009 / 177	PO ASGN EVID. TECHNI	ON Duty	Victim alleges that the accused officers entered his residence with no probable cause.
CPD Employee	Accused	DE LA TORRE, MIGUEL	307		009 /	LIEUTENANT OF POLICE	ON Duty	Victim alleges that the accused officers entered his residence with no probable cause.

## Incident Details

CR Required?		Manner Incident Received?	OTHER
Confidential?		Biased Language?	N
Extraordinary Occurrence?	N	Bias Based Profiling?	N
Police Shooting (U)?	N		
Motor Vehicle (V)?		Alcohol Related?	N
Non Disciplinary Intervention:	N	Pursuit Related?	N
Initial Assignment:	IAD	Violence in Workplace?	N
Notify IAD Immediately?	N	Domestic Violence?	N
EEO Complaint No.:			
Civil Suit No.:		Notify Chief?	
Notify Chief Administator?	N	Notification Does Not Apply?	Y
Notify Coordinator?			
Notification Other?	N		

## Initial Incident Category List

Initial Incident Category	Primary?
03Z - GROUP 03 - IMPROPER SEARCH MISCELLANEOUS	Y
03Z - GROUP 03 - IMPROPER SEARCH MISCELLANEOUS	

## Assignment History

Assigned To	Assigned Team	Investigator	Assignment Date/Time	Assigned By	Reason
IAD	CENTRAL INVESTIGATIONS SECTION	STEHLIK, JOSEPH (SUPERVISOR)	26-JUN-2015 09:39	TIERNEY, JOHN	
IAD	CENTRAL INVESTIGATIONS SECTION	BRECKENRIDGE, CHARLES (PRIMARY INV)	26-JUN-2015 09:39	TIERNEY, JOHN	
IAD	CENTRAL INVESTIGATIONS SECTION	-	24-JUN-2015 08:33	WATSON, JOHN	
IAD	INTERNAL AFFAIRS DIVISION	-	23-JUN-2015 14:31	QUERFURTH, PATRICK	

## Status History

## Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
CLOSED/NO CONVERSION	03-AUG-2015 07:32	STEHLIK, JOSEPH	SERGEANT OF POLICE	121 /	
PENDING LIEUTENANT REVIEW	03-AUG-2015 07:32	STEHLIK, JOSEPH	SERGEANT OF POLICE	121 /	
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PENDING ASSIGN INVESTIGATOR	25-JUN-2015 03:19	DUNN, BRENDA	SERGEANT OF POLICE	121 /	
PENDING APPROVE TEAM	24-JUN-2015 08:33	WATSON, JOHN	POLICE OFFICER	121 /	
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PENDING SUPERVISOR REVIEW	24-JUN-2015 06:54	QUERFURTH, PATRICK	SUPERVISING INV COPA	113 /	
PRELIMINARY	23-JUN-2015 02:31	QUERFURTH, PATRICK	SUPERVISING INV COPA	113 /	

**SWORN AFFIDAVIT FOR COMPLAINT LOG INVESTIGATION**  
CHICAGO POLICE DEPARTMENT

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STATE OF ILLINOIS      )  
                            |  
COUNTY OF COOK      )    CC  
                            |

Location of Incident	Date	Time
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Summary of Statement(s):

**NON COOPERATION**

I, \_\_\_\_\_, hereby state as follows:

1. I have read the above summary and/or attached statement(s) in its entirety, reviewed it for accuracy and been given an opportunity to make corrections and additions to the statement(s).
2. Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the information set forth in the statement(s) above and/or attached summary are true and correct, except as to any matters therein stated to be on information and belief as to such matters, I certify as aforesaid that I verily believe the same to be true.

Print Affiant's Name

Print Witness' Name

Affiant's Signature

Witness' Signature

Date

Date

Bureau of Internal Affairs  
Investigations Division  
General Investigations Section

29 June 2015  
Log#1075811

TO: Commanding Officer  
Investigations Division  
General Investigations Section

FROM: Police Agent Charles BRECKENRIDGE #8099  
Investigations Division  
General Investigations Section

SUBJECT: Attempt to Contact Reporting Third Party Attorney  
[REDACTED]

ALLEGATION: The Reporting Third Party [REDACTED] alleged on behalf of his client [REDACTED] A that on 31 July 2012, at an unknown time, at [REDACTED] accused officers entered her residence without probable cause.

On today's date at 1528 hours, the Reporting Agent attempted to contact [REDACTED] telephonically. The Reporting Agent was able to leave a message with his secretary as well as his answering service. The Reporting Agent will mail a certified letter in an attempt to further contact [REDACTED]

*P.A. Char B* \*8099  
Police Agent Charles BRECKENRIDGE #8099  
Investigations Division  
General Investigations Section



Department of Police \* City of Chicago  
3510 South Michigan Avenue \* Chicago, Illinois 60653

Date 29 June 2015

Re: C. L. No. 1075811

Dear Attorney [REDACTED] Re: Client [REDACTED]

A complaint against a Department member, registered under the above Complaint Log (C.L.) Number, is currently under investigation by the Chicago Police Department.

A vital step in the investigation is an interview with the person who registered the complaint as well as witnesses. This step is essential in order to conduct a complete and thorough investigation.

Please contact me as soon as possible so that I can make arrangements to meet with you regarding the incident under investigation. The following information is provided so that you can contact me without unnecessary inconvenience:

Name: Agent Charles Breckenridge #8099

Address: 3510 S. Michigan, Chicago, IL 60653

Telephone: 312-745-6310

Hours Available: Mon thru Fri, 7:00 a.m. - 3:00 p.m.

Sincerely,

P. A. [Signature] Breckenridge #8099

CPD-44.223 (REV. 1/07)

Emergency: 9-1-1 \* Non-Emergency: (Within City limits) 3-1-1 \* Non-Emergency: (Outside City limits) 312-746-6000  
TTY: 312-746-9715 \* E-mail: [police@ci.chi.il.us](mailto:police@ci.chi.il.us) \* Website: [www.ci.chi.il.us/CAPS](http://www.ci.chi.il.us/CAPS)

5  
10f2  
CPD 0289818



**City of Chicago**  
**Department of Police**  
3510 South Michigan Avenue  
Chicago, Illinois 60653  
Breckenridge, Unit 121  
CL#1075811

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

**X**

Agent  
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes

If YES, enter delivery address below:  No

3. Service Type

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

UNITED STATES POSTAL SERVICE



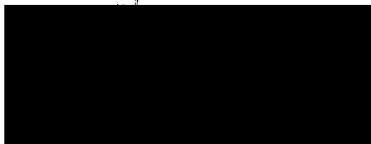
First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

- Sender: Please print your name, address, and ZIP+4 in this box •

CHICAGO POLICE DEPARTMENT  
Bureau of Internal Affairs  
3510 S. Michigan, Unit 121  
Chicago IL 60653  
c/o Breckenridge  
CL#1075811

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:****2. Article Number  
(Transfer from service label)**

PS Form 3811, February 2004

**COMPLETE THIS SECTION ON DELIVERY****B. Received by (Printed Name)**C. Date of Delivery  
*7-7-05*

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

**3. Service Type**

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

**4. Restricted Delivery? (Extra Fee)** Yes

102585-02-M-1540

Domestic Return Receipt

**U.S. Postal Service™  
CERTIFIED MAIL™ RECEIPT  
(Domestic Mail Only; No Insurance Coverage Provided)**For delivery information visit our website at [www.usps.com](http://www.usps.com)

Breckenridge, Unit 121, CO 80581

Postage \$

Certified Fee

Return Receipt Fee  
(Endorsement Required)Restricted Delivery Fee  
(Endorsement Required)

Total Postage &amp; Fees \$

CHICAGO POLICE DEPARTMENT

Postmark  
Here

JUL - 1 2015

PS Form 3800, August 2006

See Reverse for Instructions

6  
10F  
CPD 0289820

23 JUNE 2015

CIVIL SUIT NUMBER  
[REDACTED]

NAME OF DEFENDANT(S) OR OFFICER (S)

SGT. MIGUEL DE LA TORRE #2699	EMP#	[REDACTED]	UNIT# 009	DOA 13 DEC 1993
DET. NANCY PIEKARSKI-BLOCK #20683	EMP#	[REDACTED]	UNIT# 610	DOA 07 NOV 1988
P.O. KEVIN M. KILLEEN #6535	EMP#	[REDACTED]	UNIT# 009	DOA 13 DEC 1999
P.O. HERMOGENE DEL TOTO Jr #8853	EMP#	[REDACTED]	UNIT# 177	DOA 30 APR 2001

LOCATION OF INCIDENT  
[REDACTED]

DATE &amp; TIME OF INCIDENT JULY 31, 2012 UNK HRS

NAME OF PLAINTIFF'S ATTORNEY  
[REDACTED]ADDRESS  
[REDACTED]TELEPHONE  
[REDACTED]NAME OF PLAINTIFF (S) VICTIM  
[REDACTED]

ALLEGATION (S): Victim alleges that the accused officers entered her residence with no probable cause.

COMPLAINT REGISTER NUMBER 2078811

UNIT ASSIGNED TO INVESTIGATION

BUREAU OF INTERNAL AFFAIRS

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

	)	
	)	
	)	
	)	Case No.
<b>Plaintiffs,</b>	)	
v.	)	Judge
<b>P.O. II. DELTORO # 2853, P.O. MIGUEL</b>	)	Magistrate Judge
<b>DELATORE #2699, P.O. PIEKARSKI-BLOCK</b>	)	
<b># 20683, P.O. KEVIN KELLEN #6535,</b>	)	Jury Demand
<b>P.O. JOHN DOE 1-4, individually and THE</b>	)	
<b>CITY OF CHICAGO,</b>	)	
	)	
<b>Defendants.</b>	)	

**COMPLAINT**

NOW COMES the Plaintiffs

by and through their attorneys,

complaining against the Defendants, P.O. H.

DELTORO # 2853, P.O. MIGUEL DELATORE # 2699, P.O. PIEKARSKI-BLOCK # 20683,  
P.O. KEVIN KELLEN #6535, P.O. JOHN DOE #1-4, individually and THE CITY OF  
CHICAGO as follows:

## COUNT I - UNLAWFUL/UNREASONABLE SEARCH

- 1) This action is brought pursuant to the Laws of the United States Constitution, specifically, 42 U.S.C. §1983 and §1988, and the laws of the State of Illinois, to redress deprivations of the Civil Rights of the Plaintiff, and accomplished by acts and/or omissions of the Defendants committed under color of law.
- 2) Jurisdiction is based on Title 28 U.S.C. §1343 and §1331 and supplemental Jurisdiction of the State of Illinois

8

1 of 4

3) The Plaintiffs, [REDACTED]

[REDACTED] minors, by their mother [REDACTED] was a United States citizen and permanent resident of the State of Illinois.

4) The Defendants, P.O. H. DELTORO # 2853, P.O. MIGUEL DELATORE # 2699, P.O. PIEKARSKI-BLOCK # 20683, P.O. KEVIN KELLEN #6535, P.O. JOHN DOE #1-4, were at all relevant times duly appointed police officers of the CITY OF CHICAGO and at all relevant times were acting within their scope of employment and under color of law.

5) On July 31, 2012 the Plaintiffs were at their home located at [REDACTED]

[REDACTED].  
6) The Plaintiffs were not committing a crime or breaking any laws.  
7) The Defendants entered the Plaintiff's home by breaking down the door.  
8) The Defendants did not have probable cause to enter the Plaintiff's home.  
9) The Defendants forcefully broke into Plaintiff's home and searched with guns drawn.

10) Said actions of the Defendants, P.O. H. DELTORO # 2853, P.O. MIGUEL DELATORE # 2699, P.O. PIEKARSKI-BLOCK # 20683, P.O. KEVIN KELLEN #6535, P.O. JOHN DOE #1-4, were intentional, willful and wanton.

11) Said actions of the Defendants violated the Plaintiff's, [REDACTED]  
[REDACTED] minors, by their mother [REDACTED]  
[REDACTED] Fourth and Fourteenth Amendment Rights of the United States Constitution as protected by 42 U.S.C. §1983.

12) As a direct and proximate consequence of said conduct of the Defendants, the Plaintiffs, [REDACTED] minors, by their

mother [REDACTED], suffered violations of their constitutional rights, emotional anxiety, fear, pain, suffering, monetary loss, expense and invasion to his personal privacy.

WHEREFORE, the Plaintiffs, [REDACTED]  
[REDACTED] minors, by their mother [REDACTED] prays for judgment against the Defendants, P.O. H. DELTORO # 2853, P.O. MIGUEL DELATORE # 2699, P.O. PIEKARSKI-BLOCK # 20683, P.O. KEVIN KELLEN #6535, P.O. JOHN DOE #1-4, jointly and severally, for reasonable compensatory damages and punitive damages, plus attorneys' fees and costs.

**COUNT II- INDEMNIFICATION**

1-12) The Plaintiffs, [REDACTED]  
[REDACTED] minors, by their mother [REDACTED] hereby realleges and incorporates his allegations of paragraphs 1-12 of Count I as their respective allegations of paragraphs 1-12 of Count II though fully set forth herein.

13) Illinois law provides that public entities are directed to pay any tort judgment for compensatory damages for which employees are liable within the scope of their employment activities.

14) Defendants, P.O. H. DELTORO # 2853, P.O. MIGUEL DELATORE # 2699, P.O. PIEKARSKI-BLOCK # 20683, P.O. KEVIN KELLEN #6535, P.O. JOHN DOE #1-4 are employees of the CITY OF CHICAGO Police Department who acted within the scope of their employment in committing the misconduct described herein.

WHEREFORE, should any of the Defendants, P.O. H. DELTORO # 2853, P.O. MIGUEL DELATORE # 2699, P.O. PIEKARSKI-BLOCK # 20683, P.O. KEVIN KELLEN #6535, P.O. JOHN DOE #1-4, be found liable for the acts alleged above, the CITY OF CHICAGO would be liable to pay the Plaintiffs, [REDACTED]

[REDACTED], minors, by their mother [REDACTED] any judgment obtained against said Defendants.

**JURY DEMAND**

The Plaintiff's [REDACTED]  
minors, by their mother [REDACTED] requests a trial by jury.

Respectfully submitted,

[REDACTED]

[REDACTED]

Bureau of Internal Affairs  
Investigations Division  
Area Central Investigations

31 July 2015  
Log#1075811

TO: Commanding Officer  
Investigations Division  
Area Central Investigations

FROM: Police Agent Charles BRECKENRIDGE #8099  
Investigations Division  
Area Central Investigations

SUBJECT: Approval of Log Investigation #1075811

The attached Log investigation has been completed and is submitted for your approval.

*P.A. Chuck Breck* #8099  
Police Agent Charles BRECKENRIDGE #8099  
Investigations Division  
Area Central Investigations

APPROVED:

*Joe Stehlik #1945 31 Jul 15*  
Case Management Supervisor – Joseph E. STEHLIK #1945  
Sergeant  
Bureau of Internal Affairs - Area Central Investigations

**SUMMARY REPORT DIGEST**  
**CHICAGO POLICE DEPARTMENT**

LOG NO

1075811

TYPE

INFO

DATE OF REPORT

31-JUL-2015

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

**TO: DEPUTY SUPERINTENDENT, BUREAU OF PROFESSIONAL STANDARDS**

**ATTENTION: CHIEF, INTERNAL AFFAIRS DIVISION**

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
BRECKENRIDGE, CHARLES	9174	8099		121	

REFERENCE NOS. (LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS	DATE / TIME	31-JUL-2012 00:07	BEAT	913

**ACCUSED**

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
DE LA TORRE, MIGUEL	9171	2699		009		M / S		13-DEC-1993	YES	YES
PIEKARSKI-BLOCK, NANCY A	9165	20683		610		F / WHI		07-NOV-1988	YES	YES
KILLEN, KEVIN M	9161	6535		009		M / WHI		13-DEC-1999	YES	YES
DEL TORO JR, HERMOGENE	9161	8853		009	177	M / S		30-APR-2001	YES	YES

**REPORTING PARTY**

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
				/	/

**VICTIMS**

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
				F / WWH	/

**WITNESSES**

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE

\* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

**ALLEGATIONS**

NOTE: Complaint Log "Type" remains classified as Info – Sworn Affidavit NOT on file.

Accused #1 thru 4

Allegation #1 The Reporting Third Party Attorney [REDACTED] alleged on behalf of his client [REDACTED] that on 31 July 2012, at an unknown time, [REDACTED] accused officers entered her residence without probable cause.

## SUMMARY

The Reporting Agent attempted to contact Reporting Third Party Attorney [REDACTED] telephonically on 29 June 2015 with negative results (att#4). The Reporting Agent also mailed a certified letter in an attempt to contact Attorney [REDACTED] with negative results (att#5). The Reporting Agent received Domestic Return Receipt signed by Attorney [REDACTED] on 10 July 2015 (att#6). Attorney [REDACTED] contacted the Reporting Agent on 15 July 2015 and related that his client would be unavailable for interview due to pending litigation. Due to the lack of cooperation from the Reporting Third Party, the Reporting Agent will classify this investigation as "Closed - No Conversion."

## ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
None	None	None	8

## FINDINGS - RECOMMENDATIONS

### FINDINGS:

Accused #1 thru 4

Allegation #1 No Affidavit

### RECOMMENDATION:

No disciplinary action warranted.

DATE INITIATED (Date incident was received for investigation)	DATE COMPLETED (Date of this report)	ELAPSED TIME (Total time expressed in days)
26-JUN-2015	31-JUL-2015	35

Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE

*P. H. [Signature] \*8099*

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

**Attachments CL#1075811**

No.	Type	No. of Pages	Narrative
1	FACE SHEET		
2	CONFLICT CERTIFICATION		
3	SWORN AFFIDAVIT FROM COMPLAINANT	1	Sworn Affidavit, "Non-Cooperation."
4	ATTEMPT TO CONTACT	1	Attempt to Contact Reporting Third Party Attorney [REDACTED] Telephonically.
5	REPORT (OTHER)	2	Attempt to Contact Reporting Third Party Attorney [REDACTED] via Certified Letter.
6	CERTIFIED MAIL RECEIPT	1	Domestic Return Receipt Signed by Attorney [REDACTED] on 7 July 2015.
7	REPORT (OTHER)	1	Civil Suit Summary, Suit [REDACTED]
8	COURT DOCUMENTS (E.G., CIVIL COMPLAINTS, BOND SLIPS)	4	Copy of Civil Suit [REDACTED]